

ORIGINAL JURISDICTION

Dated Nainital the 8th December, 2006

First Bail Application No. 1120 of 2006

Order on the bail application of the accused.

CRIMINAL SIDE

Smt. Geeta,
W/o late Shri Sukhdev Karwal,
R/o 42, Chander Nagar,
Gandhi Ashram Wali Gali,
Police Station-Kotwali, Dehradun. Applicant (In Jail)

Versus

State of Uttaranchal

..... Opposite Party

In Case Crime No. 319 of 2006

U/s 304 I.P.C.

P.S. Kotwali,

District-Dehradun.

Hon'ble Rajesh Tandon, J.

The applicant-Geeta, who is in Jail in connection with Crime No. 319 of 2006 U/s 304 I.P.C., P.S. Kotwali, District-Dehradun has applied for bail.

Heard Sri Ramji Srivastava, counsel for the applicant and
A.G.A. for the State.

F.I.R. has been lodged by one Vigyan Karwal, who is the brother of the deceased. The F.I.R. discloses the accused-applicant coming out from the house. The case is based on circumstantial evidence. Post-mortem report shows that the death has been caused due to head injury. The F.I.R. does not explain anything with regard to the role of the accused-applicant of causing head injury. State has filed the Counter affidavit, I find no material so as to prima facie connect the accused at this stage in the commission of the offence.

Without expressing anything on merits of the case at this stage, it is a fit case for grant of Bail.

Let the applicant be released on bail on executing personal bond and furnishing two sureties, each of the like amount to the satisfaction of the Magistrate concerned.

(Rajesh Tandon, J.)

Dated 08.12.2006
Rathour